MONDAY EVENING.

10 PAGES

EVERYBODY

LAST EDITION.

State Forestalls Action of the

Bring an Action in the Kansas Supreme Court.

AN INJUNCTION ASKED

Attorneys and Parties to Suit Must Answer.

Commissioner Dolley Says Action Is Friendly One.

B. P. Waggener Makes Sarcastic

The result of the suit will be a determination of our own supreme court of every question, constitutional and etherwise, that can be raised over the bank guaranty law. This can be the bank guaranty law. This can be done in this suit more quickly and thoroughly than in any other court, as much depends on the construction our state courts place on the law. The suit makes the national banks party because they have an interest in the proceedings and they have not had a fair opportunity to present to court every claim they have in

this said in our own suppress to this said in our own suppress to this said in our own suppress to the said in our own suppress to the said in our own suppress court and heard as to any interest or interests which there may represent.

A large majority of the state banks in Kansas are in favor of the bank guaranty lay and hay loyally given berry of the national banks in Kansas are in tunifiendis to a guaranty lay and hay loyally given berry of the national banks in Kansas are int unifiendis to a guaranty lay and hay loyally given berry of the national banks in Kansas are int unifiendis to a guaranty law and would be pleased to avail them to the federal government determined that they could not do so.

The enemies of the law were present in the legislative halls as lobbyist during the time it was being considered by the legislature and opposed it in every way that their ingenuity might invent. They used every effort and secured which have prevented me from obeying the law and putting it into effect as to national banks, as the legislature fully determined that the people of Kansas have been reported from any portion of the state during the past two days. The forecast is, "generally fair tonight and Tuesday," but it clouded by the mercury Sunday in Topska was 89, and the lowest this morning was 71. This afternoon, The highest point reached by the mercury Sunday in Topska was 89, and the lowest this morning was 71. This afternoon the wind is barely moving at the rate of five miles an hour from the southeast, and a good a bitter and persisted to the federal good.

the who demanded it should not easy its privileges barely moving at the rate of five into the southeast, and a good an hour from the southeast, and a good an hour from the southeast, and a good but seeking to destroy the law made layer of clouds are backing up against bitter and persistent fight against it. Hourly temperature readings tonow seeking to destroy the law made a bitter and persistent fight against placing it in the Republican platform at the party council held in Topeka, and have assaulted it in every way nowable since

The people of Kansas at this time have large amounts of money to deposit and on deposit in the several banks and have a right to demand that when they deposit their money in our banks there shall be no possible chance for them to lose it through bank fairs

3 o'clock......82 1 o'clock......89

Stage of river, 7.5, below normal.

Weather Indications.

Chicago, Aug. 3.—Forecast for Kansas: Generally fair tonight and Tuesday.

TOPEKA, KANSAS, AUGUST 9, 1909.

TWO CENTE

This suit will clear the atmospher This suit will clear the atmosphere and settle any controversies as to the aw and if it is determined that the national banks have no right to come unier its protection a way should be provided that their depositors can be projected through the channels of a strong, sound, solvent insurance plan. Bankers.

trong, sound, solvent insurance plan, so that they may be give equal privieges with the state banks.

"As bank commissioner I will use very honorable means at my command to obey and enforce the guaranty aw and the demands of the depositors."

KRISBS

Waggener Is Pleased.

B. P. Waggener, who is in Topeka

suit:

"I am particularly pleased over the action instituted by General Jackson to test the bank guaranty law, and will co-operate with him to secure an early and final determination of a most vexatious question. I am sorry, however, that he found it necessary to charge my friend Dolley with such gross and inexcusable dereliction of official duty. Everybody knows, exact the earl Jackson, that Commis-Comment on Proceedings.

A suit, brought to make a true test of the constitutionality of the new bank guaranty law, has been tiled in the supreme court. The attorney supreme court attorney supreme court. The attorney supreme court attorney supreme court. The attorney supreme court attorney supreme court attorney supreme court. The attorney supreme court attorney supreme court attorney supreme court. The attorney supreme court attorney supreme court attorney supreme court attorney supreme court attorney suprements at the suprement of the supr

of the constitutionality of the new bank guaranty law, has been died in the supreme court. The attorney general asks for an alternative writ of mandamus to make it necessary for Bank Commissioner J. N. Dolley and State Treasurer Mark Tulley to carry out to the letter the guaranty law. The suit also pleads for an injunction against Balle P. Wargener, Chester L. Long and the Nebraska expert, John L. Webster, all of the national banks in the state and the state banks which have falled to apply for admission ander the terms of the law.

The injunction asks that the above mentioned attorneys who have organized into a hattic line for invalidaring the law, be enjoined from interfering in any way with the enforcement of the law.

To say that this is a friendly suit is telling the story—the attorney general and the bank commissioner believe that it is better to test a law amount the friends of the parties a suit was about to be filed in the transmissioner. It was their a suit was about to be filed in the federal court by the opposing factions.

Mr. Jackson Explains.

In speaking of the suit Attorney Senioral Jackson and Bank Commissioner to strong or the law of the parties in our or one of the suit with the analysis of the suit is being the suit of the parties in a suit was about to be filed in the federal court by the opposing factions, and the chanks commissioner and the state and the suit of the parties in the suit is being the suit of the parties in the suit is being the suit of the parties in the suit is being the suit of the parties in the suit is being the suit of the parties in the suit is being the suit of the suit with the action of the parties of the parties in the suit of the suit with the suit with the action of the parties of the suit is being the suit of the suit with the suit was defined and the parties of the suit with the suit was defined at the hands of the guaranty is the string of the suit with the suit was the suit of the suit with the sui

o'clock......74 | 11 o'clock.......89 8 o'clock 78 12 o'clock 90 9 o'clock 82 1 o'clock 83 10 o'clock 86 2 o'clock 89

vishes and demands of the people, curring out the people, curring this bill, practically unani-

Senior United States Senator

Will Give Some Attention to Chautauqua Dates.

Returns, Hale and Hearty.

TALKS OF THE TARIFF

Not Satisfied With Provisions of the Bill.

Will Work With President Taft to Secure Better Law.

Senator Charles Curtis returned today from Washington, D. C., in excellent health and spirits and apparently well pleased to get back to Kansas the great cattle raising and flour prothe work of the tariff revision. Senator
Curris discussed at some length this Curtis discussed at some length this morning the results of the special session of congress. He has not as yet and this section of the new law wil made definite plans for the summer but give the president ample power to secure the abolition of such discrimination. This measure has the hearty apschedule arranged by the last of the week. On Saturday he is booked to speak at the Oberlin Chautauqua. He had the following to say in regard to the work of congress:

Is Not Satisfied.

Is not Satisfied.

Is not as yet and this section of the new law will give the president ample power to secure the abolition of such discrimination. This measure has the hearty approval of the president and a majority of the Republicans of the senate and house, and I feel confident will meet with the approval of a large majority of the Republicans of the country.

"No American tariff law, Republican or Democratic, has ever carried so large."

Is Not Satisfied.

'In revising the tariff, the president and a large number of the members of the senate and the house contended that the promise in our platform committed us to a downward revision whenever it could be done without injury to American industries, and without crippling the revenues. In making such revision it was necessary for all concerned to take into consideration the interest of the people, the needs of the treasury and to so shape the legislation that sufficient revenue would be produced to pay the running expenses produced to pay the running expenses of the government. In this connection, it was imperative to give due considit was imperative to give due consideration to the fact that a deficit of about sixty million dollars resulted last year, and while doing this it was the desire of many of us to make such reduction as we could without injury to the American people. I believe that congress, in the law just enacted, has provided for the needed revenue, and at the same time has made over 700 reductions, none of which injure any American industry. In enacting the tariff law, the interest of every section necessarily had to be and was duly considered.

"There were fourteen schedules in

There were fourteen schedules in "There were fourteen schedules in the law and all of them were most carefully considered in the house and senate. There are many provisions in the act which I would gladly have seen changed, but the bill as finally agreed upon was the best which could be secured under all the circumstances, and is admitted by all to be an administration measure, favored by the president, and acceptable to a majority of the Republicans of the house and senate. I voted and worked for free lumber, for free iron ore, for free wood pulp, a refree iron ore for free wood pulp a reduction on print paper, and favored many reductions which we were not able to secure, and, while the measure is not just as I would like to have seen it, yet I believe when it is thoroughly understood, it will meet with the approved of a large majority of the per-Governor Approves Suit.

Governor Stubbs is taking considerable in the case filed by the able interest in the case filed by the attorney general over the bank guarants law. In speaking of the action of Mr. Jackson in filing the case the court in the case filed by the attorney general over the bank guarants law. In speaking of the action of Mr. Jackson in filing the case with absolute fairness to every the particular filing the case with absolute fairness to every the particular fairness to every the provided by the attorney general over the bank guarants law. In speaking of the action of the country. A considerable number of the country. A con

increases and about 14 decreases. The ircreases were such as the producers thought necessary and are upon articles which have been imported in great quantities. — In schedule "J," (flax, hemp and jute) including yarns, twines, threads, carpets, etc., there are over 170 reductions and only five increases. There are two features of the measure which I believe will appeal to the people of the country, regardless of measure which I believe will appeal to the people of the country, regardless of their political feeling. One is the corporation tax, which will be a great revenue producer and at the same time will not be in danger of being declared unconstitutional by the supreme court. There were some additional exemptions which I would have been glad to have seen included in this item. I think the smaller mercantile corporations. think the smaller mercantile corporations and others which only do a limited tusiness should have been exempted but we did the best we could, and the provision with its publicity features is a long step in the right direction. There are the maximum and infinite there are the maximum and minimum rates, which will enable the president to protect our products from discrimination in foreign markets. At the request of the president and the cattlemen and flour producers of the west, look a very active part in baying this took a very active part in having this provision placed in the bill. When it is remembered that Kansas is one of

or Democratic, has ever carried so large a free list. None has gone so far in its administrative features, or provided so sure and speedy an instrument as the ustoms court for settling disputes as o rates. None has made such pro-tisions to keep the president and the ountry informed as to the working the system and the need of read of the system and the need of readjustment in any part, and those who
know President Taft know that he will
quickly recommend and insist upon such
changes as he believes for the best
interest of the people. I assure the
people of Kansas that I shall continue
to stand with the president in his efforts
to secure needed changes in the tariff any other law upon the statute

## DIDN'T BUY TWINE.

Kansas Still Has Half of That Manufactured at Prison.

The farmers of Kansas have only purchased 50 per cent of the prison twine from the Kansas institution and the harvest days are over. This means that half of the year's output will have to be placed in storage and

Into Next Week.

Coeur D'Alene, Idaho, Aug. 9 .cage, hundreds of eager men and women awaited this morning for pretty Helen Hamilton's eyes to be blindfoldthe first choice of all the 1,500 home stead and timber cliames on the Coeu D'Alene Indian reservation.

D'Alene Indian reservation.

Inside the big transparent cage at Coeur D'Alene can after can filled with the applications of homeseckers had been carried, the scals broken, the contents dumped on the white canvas that covered the floor and all scattered and mixed by shovels. More than half

Fifteen hundred names were drawn

Next Monday morning drawings for the Spokane reservation will be held. Here 500 names will be drawn, though it is doubtful if more than 40 good quarter sections are left for the settlers. Some rich prizes are to be distributed among those whose names are first to appear. In the northern part of first to appear. In the northern part of Secretary Nagel and Director of the

Swarming around a great net covered numbers drawn: ed that she might plunge her hands into a great heap of 105,000 yellow en-velopes and draw out the name of the lucky man who had won the right to

and mixed by shovels. More than half a ton of envelopes, all just alike, were plied up in a big golden mould. The simplest methods had been

plied up in a big golden mould.

The simplest methods had been chosen for the great drawing which starts the story of a new region. Little Helen Hamilton, 12 years old, was carefully blindfolded and placed in front of the mass of letters. Picking up an envelope at random, she handed it to Miss Bernice M. Griffe, of Des Moines, a member of Superintendent Witten's staff. She opened it and scanned the application quickly to see if it conformed to the rules. If no scrious error was discovered, the paper was handed to Superintendent Witten who promptly announced the name of the lucky applicant.

today, 1,500 will be drawn tomorrow.
On Thursday the drawing of winners among the \$7,000 applicants for land in Montana's great Flathead reserve will start. Three days are allowed for this

drawing. Next Monday mornin- drawings for

with a potato shovel on four pieces of envas cut to the platferm's surface he pieces of canvas were so arranged hat the corners could be drawn to-The pieces of canvas were so arranged that the corners could be drawn together, gathering up all the envelopes cach night or in case of a storm. Soon as the drawing is concluded the remaining applications will be havied to Judge Witten's office, opened and arranged alphabetically, then placed in specially made boxes and shipped to Washington, D. C. for comparison. Any winner who has placed a duplicate application in the list will be detected and will lose his rights.

ONE CHANCE IN 333.

ONE CHANCE IN 333.

One in 400 for Spokane; One in 15 for Flathead.

The Distribution Will Extend Into Next Week.

of his cierks and the names will be Some Prize Winners. Following are among the earlier

No. 1-Isadore Selig, MyrtleCreek No. 2—John Hedmark, Spokane. No. 3—Charles G. Cornwell, Spokane

No. 4-Herman Neubauer, South No. 4—Hermon Tacoma, Wash, No. 5—Ella T. Maliney, Spokane, No. 6—William W. Atkinson, Troy, No. 7-Maude Sharp. Martinsville, Illinois.

No. 8-Peter Weiderbach, Butte, No. 8—Peter Weiderbach, Butte, Montana, No. 9—Paul Brising, St. Paul, Minn. Other winners are as follows: 12—Lewis Kemper, Washington, Mo. 15—James E. Westcott, St. Paul, Minn. 16—Israel J. Thompson, Adena, O. 28—John Grif Underwood, Wheaton,

35-F. W. E Parker, Oklahoma City, Ok. 28-Henry Sherlock, Sinclair, Minn. 46-Elizabeth B. Lindsley, Sterling,

48-John F. Goldberg, Fargo, N. D. 49-Ray McCarthy, Emmettsburg, Ia 50-John Dinsinger, Zellenople, Pa.

## WAS HOT AT BEVERLY.

But Taft Went to Church and Did Not Seem to Mind.

Beverly, Aug. 9.-Beverly was almost as hot as Washington, but President Taft passed a lazy Sunday and did not seem to mind the more than 90 in the shade. He attended morning services at the Unitarian church and devoted several hours in the afternoon to read-ing.

ficial business before him during the coming week. He is going to dispose of the matter of census supervisors from a bronze bar, which opens every throughout the entire United States. Secretary Nagel and Director of the Census Durand are applied to the dense crowd and wins for him answ

and the harvest days are over. This means that half of the year's output will have to be placed in storage and or carried over until next year. All of vhich has led the prison officials to believe that the Kansas plant is a failure of the plant is the fact that it was organized for the plant is the fact that it was organized for the plant is the fact that it was organized for the purpose of cutting down the big prices charged by the trust. For awhile the farmers are walked with it and finally when the records were examined this year it was found that the trusts sell eight times as much twine as the Kansas plant.

The whole secret is that the state officials have handled their own twine and have cut out the retailers profit.

The whole secret is that the state officials have handled their own twine and have cut out the retailers profit. Twine is sold directly to the farmer and the dealers do not have a chance of the interval of the plant is the fact that the state officials have handled their own twine and have cut out the retailers profit.

The whole secret is that the state officials have handled their own twine and the dealers do not have a chance or it is the term of the plant is the fact that the state of the plant is the fact that it was found that the trusts sell eight times as much twine as the chance of the plant is the fact that it was found that the trusts sell eight times as much twine as the chance of the plant is the fact that it was found that the trusts sell eight times as much twine as the farmer in the retailers profit.

The whole secret is that the state officials have handled their own twine and have cut out the retailers profit.

The whole secret is that the state officials have handled their own twine and have cut out the retailers profit.

The whole secret is that the state officials have handled their own twine and have cut out the retailers profit.

The whole secret is that the state officials have handled their own twine and have cut out the retailers profit.

The whole secret is that t

Spare.

Contrary to all the rumors stating that there was a drouth of school teachers in Kansas, State Superin-tendent of Fublic Instruction Fair-child, has issued a circular letter to all of the county superintendents over the state, giving them the exact fig-ures as to the surplus and shortage of county teachers and suggesting that the superintendents draw upon one another for the filling of the

25 extra teachers.

# CITY IS THEIRS.

Salt Lake Is Turned Over to the Grand Army.

The Emblem of the Order Gives Freedom Everywhere.

FORTY-THIRD REUNION

And Annual Encampment in Full Swing.

The Tourists and Sightseers Outnumber the Veterans.

Salt Lake City, Utah, Aug. 9.-The occupation of the city by the Grand Army of the Republic is complete, Coming in overwhelming force from all directions, the veterans have won every strategical position and command alf communications. Their colors drape the valls and no man dares haul thems

On the program, this is the first days of the forty-third encampment; in practice, it is a day of wholesale greeting. Special trains are unloading their thourands of passengers. An enthusiastic welcome for all and special receptions or officers of rank fill the hours. Edgar Allan, commander-in-chief of the Sons of Veterans, is among the day's arrivals. He was tendered a reception by his organization this afternoon. The National Association of Army Nurses

found friends in countless numbers. The first formal gathering was that of the union ex-prisoners of war, who met in the Federation of Labor hall at 16 o'clock. The national executive com-16 o'clock. The national executive com-mittee of the association will meet at the headquarters of Commander Ed-

Whitewalled canvas villages are showing up from the green awards of the parks and the boys of '61 will soon be-playing the game of war under a soft-ened form of military rule. Scanning, the sky for clues the weather observers have discovered no indications of show-ers and the most radical thermome-ters have been unable to detect an un-comfortable degree of heat. The beginring of the encampment, at least, finds preezes and the summer in retreat.

The Magic Star.

targets affoat even after projectiles have hit them.

# WOMAN FOUND DEAD.

Officers Disagree as to Whether She Was Murdered or Not.

Detroit, Aug. 9 .- A woman who was found dead yesterday in the woods near here with evidences of assault and murder was identified today as Some counties of the state have a big surplus and others are behind in their assignments. All in all, however, there are 275 school teachers in the state without prospective positions. There is a surplus of 495 in some counties and a shortage of 220 in the other counties. Wyandotte died from hemorrhages and that the county has the largest surplus—having 56 school teachers who will have to find positions elsewhere. Shawnee has a surplus of 10. On the other hand Ochorne county has places for 25 exira teachers.

The control of the co N.111-